

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JAMES DAVID LEE

Plaintiff,

VS.

EQUIFAX INFORMATION SERVICES,
ET AL.

Defendants.

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NO. 3-09-CV-1661-K

MAGISTRATE JUDGE'S QUESTIONNAIRE TO THE PLAINTIFF

TO: Mr. James David Lee
6735 Meadowcrest Drive
Arlington, Texas 76002

DIRECTIONS: The Plaintiff shall answer the following Questions in the space provided for his answer. The answers to these Questions shall be verified under penalty of perjury by the Plaintiff on the signature line at the conclusion of these Questions, and returned to the United States Magistrate Judge within twenty (20) days of the date upon which the Plaintiff receives the Questionnaire. Failure to file answers to the Questions may result in the dismissal of the complaint for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Plaintiff is also **ORDERED** that at all times during the pendency of this action, he shall immediately advise the Court of any change of address and its effective date. Such notice shall be captioned "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and contain only information pertaining to the change of address and its effective date. The notice shall not contain any motions for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of the complaint for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

QUESTION NO. 1: You state in your complaint that venue lies in Tarrant County, Texas.

Tarrant County is located in the Fort Worth Division of the Northern District of Texas, not the Dallas Division of the Northern District of Texas. *See* 28 U.S.C. § 124(a)(2). Did you intend to file your complaint in the Fort Worth Division of the Northern District of Texas? If not, explain why venue is proper in the Dallas Division of the Northern District of Texas.

ANSWER:

QUESTION NO. 2: Please provide the following information with regard to your claims against defendant Trans Union:

- a) state, **specifically**, what false information concerning you Trans Union adds, stores, maintains, and disseminates;
- b) state, **specifically**, what positive credit information concerning you Trans Union has withheld and not reported;
- c) state, **specifically**, what removed items Trans Union reinserted on your consumer credit report without proper notification;
- d) state, **specifically**, how the procedures Trans Union uses fail to assure maximum possible accuracy of the information it maintains and reports;
- e) state all **specific** facts that support your claim that Trans Union failed to conduct a reasonable investigation into your disputes;
- f) state the date(s) (month/day/year) you informed Trans Union that you disputed information contained on your consumer credit report;
- g) state whether you informed Trans Union of the disputed information orally, in writing, or otherwise; and
- h) attach a copy of all written correspondence between Trans Union and you related to the disputed information on your consumer credit report.

QUESTION NO. 3: Please provide the following information with regard to your claims against defendant Experian:

- a) state, **specifically**, what false adverse information concerning you Experian adds, stores, maintains, and disseminates;
- b) state, **specifically**, how the procedures Experian uses fail to assure maximum possible accuracy of the information it maintains and reports;
- c) state all **specific** facts that support your claim that Experian failed to conduct a reasonable investigation into your disputes;
- d) state the date(s) (month/day/year) you informed Experian that you disputed information contained on your consumer credit report;
- e) state whether you informed Experian of the disputed information orally, in writing, or otherwise; and
- f) attach a copy of all written correspondence between Experian and you related to the disputed information on your consumer credit report.

QUESTION NO. 4: Please provide the following information with regard to your claims against defendant Equifax:

- a) state, **specifically**, what false adverse information concerning you Equifax adds, stores, maintains, and disseminates;
- b) state, **specifically**, how the procedures Equifax uses fail to assure maximum possible accuracy of the information it maintains and reports;
- c) state all **specific** facts that support your claim that Equifax failed to conduct a reasonable investigation into your disputes;
- d) state the date(s) (month/day/year) you informed Equifax that you disputed information contained on your consumer credit report;
- e) state whether you informed Equifax of the disputed information orally, in writing, or otherwise; and
- f) attach a copy of all written correspondence between Equifax and you related to the disputed information on your consumer credit report.

QUESTION NO. 5: You state that Dish Network violated the Fair Debt Collection Practices Act. With regard to this claim, please answer the following:

- (a) For what good or service does Dish Network claim you owe a debt?
- (b) Does Dish Network claim you owe money to Dish Network (as opposed to a third party)?
- (c) Has Dish Network ever attempted to collect money you owe to any entity other than Dish Network?
- (d) Has Dish Network, in the course of attempting to collect a debt, used any name other than its own that would indicate that a third party is attempting to collect a debt on behalf of Dish Network? If so, please state the name it used.

QUESTION NO. 6: You state that American General Financial violated the Fair Debt Collection Practices Act. With regard to this claim, please answer the following:

- (a) For what good or service does American General Financial claim you owe a debt?
- (b) Does American General Financial claim you owe money to American General Financial (as opposed to a third party)?
- (c) Has American General Financial ever attempted to collect money you owe to any entity other than American General Financial?
- (d) Has American General Financial , in the course of attempting to collect a debt, used any name other than its own that would indicate that a third party is attempting to collect a debt on behalf of American General Financial ? If so, please state the name it used.

QUESTION NO. 7: You state that Trophy Nissan violated the Fair Debt Collection Practices Act. With regard to this claim, please answer the following:

- (a) For what good or service does Trophy Nissan claim you owe a debt?
- (b) Does Trophy Nissan claim you owe money to Trophy Nissan (as opposed to a third party)?
- (c) Has Trophy Nissan ever attempted to collect money you owe to any entity other than Trophy Nissan?
- (d) Has Trophy Nissan, in the course of attempting to collect a debt, used any name other than its own that would indicate that a third party is attempting to collect a debt on behalf of Trophy Nissan? If so, please state the name it used.

QUESTION NO. 8: You state that Sterling violated the Fair Debt Collection Practices Act.

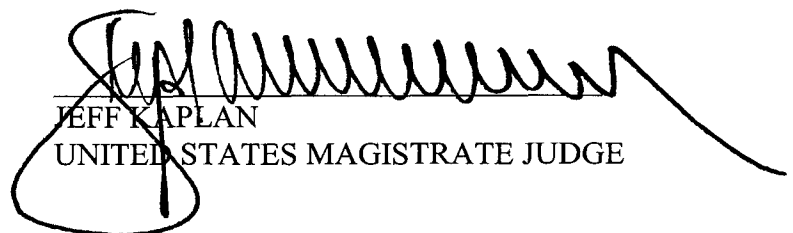
With regard to this claim, please answer the following:

- (a) For what good or service does Sterling claim you owe a debt?
- (b) What type of business is Sterling engaged in?
- (c) Does Sterling claim you owe money to Sterling (as opposed to a third party)?
- (d) Has Sterling ever attempted to collect money you owe to any entity other than Sterling?
- (e) Has Sterling, in the course of attempting to collect a debt, used any name other than its own that would indicate that a third party is attempting to collect a debt on behalf of Sterling? If so, please state the name it used.
- (f) Provide the full name of "Sterling" and list the address where service of process may be effected on this defendant.

QUESTION NO. 9: Several defendants are listed in the caption of your case, but you do not make any factual allegations against them in your complaint. These defendants are: CSC Credit Services, First Premier Bank, Applied Bank, Citi Morge, Colnial-ML, Tide Finance and the Office of the Attorney General. Do you wish to include any of these parties as defendants to this suit? If so, list which of these parties you wish to include as defendants to this suit and answer the following questions with regard to *each* defendant:

- a) identify the statute or case law basis under which you are suing the defendant;
- b) **briefly** provide the underlying facts with regard to your claim(s) against the defendant;
- c) state **specifically** how you were harmed by the defendant;
- d) state the date the defendant acted;
- e) state whether the defendant is a consumer reporting agency;
- f) state the date you became aware of the actions of the defendant; and
- g) provide the address where service of process may be made on the defendant.

ANSWER:


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE

STATE OF TEXAS

COUNTY OF

VERIFICATION

I understand that a false statement or answer to any interrogatories in this cause of action will subject me to penalties for perjury. I declare (or certify, verify or state) under penalty of perjury that the foregoing answers are true and correct (28 U.S.C. § 1746).

SIGNED on this _____ day of _____, 2009.

(Signature of Plaintiff)